



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : MacDonough et al.

Art Unit : 1761

Serial No. : 09/923,479

Examiner : Unknown

Filed : August 6, 2001

Title : CONCENTRATED KAVALACTONE BEVERAGE COMPOSITIONS

BOX MISSING PARTS

Commissioner for Patents

Washington, D.C. 20231

PETITION UNDER 37 C.F.R. 1.47

In response to the action mailed September 13, 2001, this statement of facts is submitted concurrently with executed declarations in compliance with 37 CFR 1.63 of two of the three listed applicants.

In a letter to applicant Brian Lovejoy dated October 01, 2001, Applicants' attorney requested that all three listed applicants execute the enclosed declarations for submission to the Patent Office in response to the Notice to Respond to Missing Parts dated September 13, 2001. Also, a reminder letter from the Applicants' attorney was sent to applicant Brian Lovejoy on December 13, 2001. Subsequently, Applicants' attorney contacted applicants Brain Lovejoy and Joel McCleary by e-mail on February 11, 2002, March 4, 2002, and March 12, 2002 regarding the papers. In an e-mail message dated March 5, 2002, Applicant Brian Lovejoy stated that he had forwarded the formal papers to Applicant John MacDonough. Since March 5, 2002, Applicants' attorney's attempts to contact Applicants Lovejoy and McCleary, by e-mail and telephone, have been unsuccessful and applicant John MacDonough has not provided an executed declaration to date.

The last know address for applicant John MacDonough is 6208 Brumder Road,
Chenequa, WI 53029.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

March 13, 2002

Signature

Marie Keen

Typed or Printed Name of Person Signing Certificate

Marie Keen

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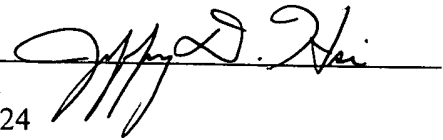
Attorney's Docket No.: 13413-002001

Enclosed is a \$130 check for fees and a \$720 check for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 13413-002001.

Respectfully submitted,

Date: March 13, 2002

Jeffrey D. Hsi
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